

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

SCOTT T. BALLOCK,

Plaintiff,

v.

**CIVIL ACTION NO.: 1:17-CV-52
Honorable Irene M. Keeley**

**ELLEN RUTH COSTLOW,
STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M.
GASKINS, AND STATE TROOPER
CHRIS BERRY,**

Defendants.

**DEFENDANT STATE TROOPER MICHAEL KIEF, STATE TROOPER RONNIE M.
GASKINS, AND STATE TROOPER CHRIS BERRY'S NOTICE OF WITHDRAWAL
OF MOTION TO REQUIRE PLAINTIFF TO RELEASE EXPUNGED RECORDS,
OR IN THE ALTERNATIVE, TO PROHIBIT PLAINTIFF FROM
PRESENTING EVIDENCE OF HIS ARREST AND PROSECUTION**

Defendants State Trooper Michael Kief, State Trooper Ronnie M. Gaskins, and State Trooper Chris Berry (collectively, the "State Police Defendants") hereby give notice that they withdraw their "Motion to Require Plaintiff to Release Expunged Records, or in the Alternative, to Prohibit Plaintiff from Presenting Evidence of His Arrest and Prosecution" (ECF No. 66). The State Police Defendants and Plaintiff have resolved the issues raised by the Motion. Plaintiff has agreed to move the Monongalia County, West Virginia Magistrate Court to release its expunged records of Plaintiff's arrest and criminal prosecution, which forms the basis of this action, and to execute a release directed to the Monongalia County, West Virginia Prosecutor's Office, authorizing that office to release Plaintiff's expunged criminal records.

In light of the agreed resolution, the State Police Defendants hereby WITHDRAW as moot the foregoing Motion to Require Release of Plaintiff's Expunged Records. The State Police Defendants reserve the right to re-file the Motion should it become necessary.

Dated this 9th day of April 2018.

Respectfully submitted,

/s/ Mark G. Jeffries

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*Counsel for Defendants State Trooper
Michael Kief, State Trooper Ronnie M.
Gaskins, and State Trooper Chris Berry*

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CERTIFICATE OF SERVICE

I hereby certify that, on the 9th day of April 2018, I filed the foregoing “*Defendants State Trooper Michael Kief, State Trooper Ronnie M. Gaskins, and State Trooper Chris Berry’s Notice of Withdrawal of Motion to Require Plaintiff to Release Expunged Records, or in the Alternative, to Prohibit Plaintiff from Presenting Evidence of His Arrest and Prosecution*” with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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Counsel for Defendant Ellen Ruth Costlow

/s/ **Mark G. Jeffries**

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